IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

WP(C).No. 20125 of 2006(U)

PETITIONER:

V.K.BAJU,
VALLIYATH HOUSE, MELUKARA, KOZHENCHERRY P.O.,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.THAMPAN THOMAS
SRI.BIJI MATHEW

RESPONDENTS:
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1. STATE OF KERALA, REP. BY
ITS COMMISSIONER OF CIVIL SUPPLIES.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, PATHANAMTHITTA.

3. THE DISTRICT SUPPLY OFFICE,
PATHANAMTHITTA.

4. P.G.CHACKO,
PURATHOOTTA HOUSE, KEEZHUKARA P.O.,
PATHANAMTHITTA DISTRICT.

R4 BY ADV. SRI.THOMAS ABRAHAM
SRI.K.B.ARUNKUMAR
GOVERNMENT PLEADER SRI. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 20125/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE RATION CARD NO. 1312026920 OF ARD NO. 82.

EXT.P2. COPY OF THE ROUGH SKETCH.

EXT.P3. COPY OF THE LETTER NO. C.S. 3/2805/2001 DT. 24/10/2005.

EXT.P4. COPY OF THE REPRESENTATION DT. 7/1/2006.

EXT.P5. COPY OF THE LETTER DT. 07/06/2006.

RESPONDENT'S EXHIBITS

EXT.R4A. COPY OF THE REPRESENTATION DT. 20/8/2006, SUBMITTED BY 17 PERSONS.

EXT.R4B. COPY OF THE REPRESENTATION DT. 20/8/2006 SUBMITTED BEFORE THE DIST. COLLECTOR, PATHANAMTHITTA.

EXT.R4C. COPY OF THE AGREEMENT DT. 28/7/2006 EXEUCTED BY THE PETITIONER.

EXT.R4D. COPY OF THE SUPPLEMENTARY AGREEMENT DT. 28/7/2006.

EXT.R4E. COPY OF THE ORDER NO. CS2/1456/06/99 DT. 28/7/2006 BY THE TLAUK SUPPLY OFFICER, KOZHENCHERRY.

EXT.R4F. COPY OF THE RELEVANT PAGES OF THE DAY BOOK IN WHICH THE RATIONING INSPECTOR ELANTHOOR OFFICER RECORDED THE IMPLEMENTATION OF EXHIBIT R4(E) ORDER.

EXT.R4G. COPY OF THE ROUGH SKETCH SHOWING THE ACTUAL DISTANCES.

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Thottathil B. Radhakrishnan, J.

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W.P.(C)No.20125 of 2006

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Dated this the 22nd day of February, 2007.

JUDGMENT

If the petitioner is aggrieved by any action in the form of Ext.P3 or any proposal to start ARD No.82 at Kurungumala junction adverse to his interest, it is for him to move the competent authority under the Rationing Order and it is for the District Collector, Civil Supplies Commissioner or the Government to decide the issue, which primarily concerns grant of ARD. Hence, without prejudice to such statutory remedy, writ petition is dismissed.

Thottathil B.Radhakrishnan,
Judge.

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